

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

IVAN GOODLOW,

Plaintiff,

v.

GOMEZ,

Defendant.

Case No. 1:23-cv-00662-ADA-BAM (PC)

ORDER GRANTING DEFENDANT'S
REQUEST FOR EXTENSION OF TIME TO
FILE RESPONSIVE PLEADING

(ECF No. 14)

**Response to Complaint Due: November 30,
2023**

Plaintiff Ivan Goodlow ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action under 42 U.S.C. § 1983. This action proceeds against Defendant Goodlow for excessive force in violation of the Eighth Amendment.

Pursuant to the Court's August 28, 2023, order finding service of the complaint appropriate and directing electronic service, Defendant Goodlow's answer or other responsive pleading is due on or before October 30, 2023. (*See* ECF No. 10.)

Currently before the Court is Defendant's request for extension of time to file responsive pleading, filed October 25, 2023. (ECF No. 14.) Plaintiff has not had the opportunity to respond to the motion, but the Court finds a response unnecessary. The motion is deemed submitted. Local Rule 203(l).

In support of the motion, counsel for Defendant declares that upon being assigned to this case, documents were received from the California Department of Corrections and Rehabilitation

1 that counsel believes are necessary for review, including Plaintiff's prison central file and medical
2 file records. However, the records are voluminous, and additional time is needed to review the
3 records, analyze the claims, interview Defendant, and draft the appropriate responsive pleading.
4 Counsel has also devoted substantial amounts of time on preparing pleadings and responses in
5 cases with earlier deadlines, and will be out of the office from October 26, 2023 to October 30,
6 2023. Counsel therefore requests a thirty-day extension of time, up to and including November
7 30, 2023 to complete the review, speak to Defendant in light of the file review, and prepare and
8 file a responsive pleading. (*Id.*)

9 The Court, having considered the request, finds good cause to grant the requested
10 extension of time. Fed. R. Civ. P. 6(b). The Court further finds that Plaintiff will not be
11 prejudiced by the brief extension requested here.

12 Accordingly, it is HEREBY ORDERED as follows:

- 13 1. Defendant's request for extension of time to file responsive pleading, (ECF No. 14), is
14 GRANTED; and
- 15 2. Defendant Gomez shall file and serve a response to the complaint on or before **November**
16 **30, 2023**.

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18 IT IS SO ORDERED.

19 Dated: October 25, 2023

/s/ Barbara A. McAuliffe
20 UNITED STATES MAGISTRATE JUDGE
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